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5 Attorneys for Petitioner  
6 Bayside Advisory LLC

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

11 **CV 20** CASE NO.: **80214MISC**

12  
13 IN RE DMCA § 512(h)  
14 SUBPOENA TO TWITTER, INC.

**BAYSIDE ADVISORY LLC'S REQUEST  
TO THE CLERK FOR THE ISSUANCE OF  
A SUBPOENA TO TWITTER, INC.  
PURSUANT TO 17 U.S.C. § 512(h) TO  
IDENTIFY ALLEGED INFRINGER**

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16  
17 Bayside Advisory LLC ( "Bayside"), by and through its undersigned counsel of record,  
18 hereby requests that the Clerk of this Court issue a subpoena to Twitter, Inc. ("Twitter") to identify  
19 an alleged infringer or infringers, pursuant to the Digital Millennium Copyright Act ("DMCA"), 17  
20 U.S.C. § 512(h) (the "Subpoena"). A copy of the proposed Subpoena is attached as Exhibit 2 to the  
21 Declaration of Robert E. Allen ("Allen Decl.").

22 The requested Subpoena relates to infringing materials that Bayside discovered on the  
23 websites <twitter.com> and <pbs.twimg.com>, which Bayside is informed and believes are operated  
24 by Twitter. The infringing materials include unauthorized copies of copyrighted photographs, which  
25 are owned solely and exclusively by Bayside. Bayside registered the photographs with the United  
26 States Copyright Office on November 2, 2020 (Registration No. VA 2-221-602 and Registration  
27 No. VA 2-221-604).  
28

**FILED**

**NOV 25 2020**

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

**DMR**

GlaserWeil

**FAKED**

1 Bayside has satisfied the requirements for issuance of a subpoena pursuant to 17 U.S.C. §  
2 512(h), namely:

- 3 1. Bayside has submitted a copy of the notifications required by 17 U.S.C. §  
4 512(c)(3)(A). *See* Allen Decl. ¶ 3, Ex. 1.
- 5 2. Bayside has submitted the proposed Subpoena concurrently herewith. *See* Allen  
6 Decl. ¶ 5, Ex. 2.
- 7 3. Bayside has submitted a sworn declaration confirming the purpose for which the  
8 Subpoena is sought is to obtain the identity of the alleged infringer or infringers, and  
9 that such information will only be used for the purpose of protecting rights under  
10 Title 17 of the United States Code. *See* Allen Decl. ¶ 4.

11 Because Bayside has complied with the statutory requirements, Bayside respectfully requests  
12 that the Clerk expeditiously issue and sign the proposed Subpoena pursuant to 17 U.S.C. § 512(h)(4)  
13 and return it to the undersigned counsel for service on Twitter.

14  
15 DATED: November 25, 2020

GLASER WEIL FINK HOWARD  
AVCHEN & SHAPIRO LLP

16  
17 By: 

18 ROBERT E. ALLEN  
19 Attorneys for Petitioner  
20 Bayside Advisory LLC  
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